CYNULLIAD CENEDLAETHOL CYMRU

OFFERYNNAU STATUDOL

2000 Rhif 2991 (Cy. 191)(C. 92)

Y GWASANAETH IECHYD GWLADOL, CYMRU

Gorchymyn Deddf Iechyd 1999 (Cychwyn Rhif 3) (Cymru) 2000

NODYN ESBONIADOL

(Nid yw'r nodyn hwn yn rhan o'r Gorchymyn)

Mae'r Gorchymyn hwn yn dod â darpariaethau pellach Deddf Iechyd 1999 i rym mewn perthynas â Chymru.

Mae'r Gorchymyn yn darparu ar gyfer cychwyn darpariaethau sy'n darparu ar gyfer partneriaeth rhwng cyrff NHS ac Awdurdodau Lleol gan gynnwys taliadau rhwng cyrff NHS ac Awdurdodau Lleol a'r trefniadau rhyngddynt. Mae darpariaeth hefyd ar gyfer cychwyn diddymiadau sy'n ymwneud â Chyd-bwyllgorau Ymgynghorol a Deddf Cyd-bwyllgorau Ymgynghorol y Gwasanaeth Iechyd (Cael Gweld Gwybodaeth) 1986.

NATIONAL ASSEMBLY FOR WALES

STATUTORY INSTRUMENTS

2000 No. 2991 (W. 191)(C. 92)

NATIONAL HEALTH SERVICE, WALES

The Health Act 1999 (Commencement No.3) (Wales) Order 2000

EXPLANATORY NOTE

(This note does not form part of the Order)

This Order brings into force further provisions of the Health Act 1999 in relation to Wales.

The Order provides for the commencement of provisions which provide for partnership between NHS bodies and Local Authorities, including payments between NHS bodies and Local Authorities and arrangements between them. There is also provision for the commencement of repeals relating to Joint Consultative Committees and of the Health Service Joint Consultative Committees (Access to Information) Act 1986.

NODYN AM Y GORCHMYNION CYCHWYN BLAENOROL

(Nid yw'r nodyn hwn yn rhan o'r Gorchymyn)

Daethpwyd â darpariaethau canlynol Deddf Iechyd 1999 i rym mewn perthynas â Chymru drwy orchymyn cychwyn a wnaed cyn dyddiad y Gorchymyn hwn (gan gynnwys darpariaethau y daethpwyd â hwy i rym mewn perthynas â Chymru a Lloegr).

Yn ogystal â'r darpariaethau a restrir isod, daethpwyd ag amryw ddarpariaethau eraill i rym mewn perthynas â Lloegr drwy orchmynion cychwyn O.S. 1999/2177, 2342, 2540 a 2793 a 2000/779 a 1041 ac mewn perthynas â'r Alban drwy orchymyn cychwyn O.S.A. 1999/90 a 115 a 2000/38 .

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note does not form part of the Order)

The following provisions of the Health Act 1999 have been brought into force in relation to Wales by commencement order made before the date of this Order (including provisions brought into force in relation to England and Wales).

In addition to the provisions listed below, various other provisions of the Act have been brought into force in relation to England by commencement orders S.I. 1999/2177, 2342, 2540 and 2793 and 2000/779 and 1041 and in relation to Scotland by commencement order S.S.I. 1999/90 and 115 and 2000/38 .

Darpariaeth / Provision	Dyddiad Cychwyn / Date of commencement	Rhif yr O.S. / S.I. No.
Adran/section 1	1.4.2000	2000/1026 (Cy.62)(C.26) / (W.62)(C.26)
Adran/section 9	1.4.2000	2000/1041 (C.28)
Adran/section 11 (yn rhannol)(partially)	1.4.2000	2000/1026 (Cy.62)(C.26) / (W.62)(C.26)
Adran/section 12 (yn rhannol)(partially)	1.12.99	1999/3184 (Cy.42)(C.82) / (W.42) (C.82)
Adran/section 13 -17	1.11.99	1999/3184 (Cy.42)(C.82) / (W.42) (C.82)
Adran/section 18	1.11.99	1999/3184 (Cy.42)(C.82) / (W.42)(C.82)
Adran/section 19	1.11.99	1999/2793 (C.69)
Adran/section 20 (yn rhannol)(partially)	1.11.99	1999/2793 (C.69)
Adran/section 21	1.4.00	2000/1041 (C.28)
Adran/section 23 - 25	1.11.99	1999/2793 (C.69)
Adran/section 28 (yn rhannol)(partially)	1.11.99	1999/3184 (Cy.42)(C.82) / (W.42) (C.82)
Adran/section 33 (yn rhannol)(partially)	1.9.99	1999/2177 (C.54)
Adran/section 34 (yn rhannol)(partially)	3.8.99	1999/2177 (C.54)
(gweddill) (remainder)	1.11.99	1999/2177 (C.54)
Adran/section 36 (yn rhannol)(partially)	3.8.99	1999/2177 (C.54)
Adran/section 37 (yn rhannol)(partially)	3.8.99	1999/2177 (C.54)
Adran/section 37(1) - (9) (gweddill) (remainder)	1.11.99	1999/2177 (C.54)
Adran/section 38 (yn rhannol)(partially)	3.8.99	1999/2177 (C.54)
(yn rhannol)(partially)	1.9.99	1999/2177 (C.54)
(yn rhannol)(partially)	1.11.99	1999/2177 (C.54)
Adran/section 41	1.4.2000	1999/2793 (C.69)
Adran/section 42 - 44	1.10.99	1999/2540 (C.64)
Adran/section 60 (yn rhannol)(partially)	1.7.99 (yn unol ag adran 67(3)) (pursuant to section 67(3))	
(yn rhannol)(partially)	15.3.2000	2000/779 (C.17)

Adran/section 62 - 64	3.8.99	1999/2177 (C.54)
Adran/section 66(1),(3) - (6)	(mewn grym ers y deddfiad yn unol ag adran 67(4)) (in force from enactment pursuant to section 67(4))	
Adran/section 66(2)	1.7.99 (yn unol ag adran 67(4)) (pursuant to section 67(4))	
Adran/section 67 - 69	(mewn grym ers y deddfiad) (in force from enactment)	
Atodlen/Schedule 2	1.11.99	1999/2793 (C.69)
Atodlen/Schedule 3	15.3.2000	2000/779 (C.17)
Atodlen/Schedule 4	(ac adran 65(1) i'r graddau y mae'n ymwneud â'r paragraffau a bennir isod (and section 65(1) in so far as it relates to the paragraphs specified below)	
Paragraff/paragraph 4 (yn rhannol)(partially)	1.11.99	1999/3184 (Cy.42)(C.82) / (W.42) (C.82)
(yn rhannol)(partially)	1.12.99	1999/3184 (Cy.42)(C.82) / (W.42) (C.82)
(yn rhannol)(partially)	1.4.2000	1999/2793 (C.69)
(yn rhannol)(partially)	1.4.2000	2000/1026 (Cy.62)(C.26) / (W.62)(C.26)
Paragraff/paragraph 5	1.12.99	1999/3184 (Cy.42)(C.82) / (W.42) (C.82)
Paragraff/paragraph 6	1.12.99	1999/3184 (Cy.42)(C.82) / (W.42) (C.82)
Paragraff/paragraph8 (yn rhannol)(partially)	1.4.2000	2000/1026 (Cy.62)(C.26) / (W.62)(C.26)
Paragraff/paragraph 9 (yn rhannol)(partially)	1.12.99	1999/3184 (Cy.42)(C.82) / (W.42) (C.82)
Paragraff/paragraph 12 (yn rhannol)(partially)	1.12.99	1999/3184 (Cy.42)(C.82) / (W.42) (C.82)

Paragraff/paragraph 15 (yn rhannol)(partially)	1.12.99	1999/3184 (Cy.42)(C.82) / (W.42) (C.82)
Paragraff/paragraph 24	1.4.2000	2000/1026 (Cy.62)(C.26) / (W.62)(C.26)
Paragraff/paragraph 26	1.12.99	1999/3184 (Cy.42)(C.82) / (W.42) (C.82)
Paragraff/paragraph 27(a) (yn rhannol)(partially)	1.4.2000	2000/1026 (Cy.62)(C.26) / (W.62)(C.26)
Paragraff/paragraph 27(b)	1.4.2000	1999/2793 (C.69)
Paragraff/paragraph 30 (yn rhannol)(partially)	1.12.99	1999/3184 (Cy.42)(C.82) / (W.42) (C.82)
Paragraff/paragraph 31 (yn rhannol)(partially)	1.12.99	1999/3184 (Cy.42)(C.82) / (W.42) (C.82)
Paragraff/paragraph 32	1.12.99	1999/3184 (Cy.42)(C.82) / (W.42) (C.82)
Paragraff/paragraph 34(b)	1.12.99	1999/3184 (Cy.42)(C.82) / (W.42) (C.82)
Paragraff/paragraph 37 (yn rhannol)(partially)	1.11.99	1999/3184 (Cy.42)(C.82) / (W.42) (C.82)
(yn rhannol)(partially)	1.12.99	1999/3184 (Cy.42)(C.82) / (W.42) (C.82)
Paragraff/paragraph 38 (yn rhannol)(partially)	1.12.99	1999/3184 (Cy.42)(C.82) / (W.42) (C.82)
(yn rhannol)(partially)	1.4.2000	1999/2793 (C.69)
Paragraff/paragraph 39	1.12.99	1999/3184 (Cy.42)(C.82) / (W.42) (C.82)
Paragraffau/paragraphs 65 - 69	1.4.2000	1999/2793 (C.69)
Paragraff/paragraph 71 (yn rhannol)(partially)	1.4.2000	2000/1026 (Cy.62)(C.26) / (W.62)(C.26)
Paragraff/paragraph 73	1.4.2000	1999/2342 (C.60)
Paragraff/paragraph 74 (yn rhannol)(partially)	1.11.99	1999/2793 (C.69)
(yn rhannol)(partially)	1.12.99	1999/3184 (Cy.42)(C.82) / (W.42) (C.82)
(yn rhannol)(partially)	4.1.2000	1999/2342 (C.60)
(yn rhannol)(partially)	1.4.2000	1999/2342 (C.60)
(yn rhannol)(partially)	1.4.2000	2000/1026 (Cy.62)(C.26) / (W.62)(C.26)

Paragraff/paragraph 75	1.12.99	1999/3184 (Cy.42)(C.82) / (W.42) (C.82)
Paragraff/paragraph 76(a) (yn rhannol)(partially)	1.11.99	1999/2793 (C.69)
(yn rhannol)(partially)	4.1.2000	1999/2342 (C.60)
Paragraff/paragraph 76(b)	1.12.99	1999/3184 (Cy.42)(C.82) / (W.42) (C.82)
Paragraff/paragraph 79	1.11.99	1999/3184 (Cy.42)(C.82) / (W.42) (C.82)
Paragraff/paragraph 81 (yn rhannol)(partially)	1.11.99	1999/2793 (C.69)
Paragraff/paragraph 82	1.4.2000	1999/2342 (C.60)
Paragraff/paragraph 83 (yn rhannol)(partially)	1.12.99	1999/3184 (Cy.42)(C.82) / (W.42) (C.82)
(yn rhannol)(partially)	1.4.2000	2000/1026 (Cy.62)(C.26) / (W.62)(C.26)
Paragraff/paragraph 84	1.4.2000	2000/1026 (Cy.62)(C.26) / (W.62)(C.26)
Paragraff/paragraph 85 (yn rhannol)(partially)	4.1.2000	1999/2342 (C.60)
(yn rhannol)(partially)	1.4.2000	2000/1026 (Cy.62)(C.26) / (W.62)(C.26)
Paragraff/paragraph 86	1.4.2000	1999/2342 (C.60) 1999/3184
Paragraff/paragraph 88 (yn rhannol)(partially)	1.12.99	1999/3184 (Cy.42)(C.82) / (W.42) (C.82)
Paragraff/paragraph 90	1.4.2000	2000/1026 (Cy.62)(C.26) / (W.62)(C.26)
Atodlen/Schedule 5 (yn rhannol)(partially	(ac adran 65(2) i'r graddau y mae'n ymwneud â'r diddymiadau a gychwynnwyd fel y'u nodir isod) (and section 65(2) in so far as it relates to the repeals commenced as set out below)	
(yn rhannol)(partially)	1.11.99	1999/2793 (C.69)
(yn rhannol)(partially)	1.4.2000	1999/2793 (C.69)
(yn rhannol)(partially)	1.4.2000	2000/1041 (C.28)

2000 Rhif 2991 (Cy. 191)(C. 92)

Y GWASANAETH IECHYD GWLADOL, CYMRU

Gorchymyn Deddf Iechyd 1999(Cychwyn Rhif 3) (Cymru) 2000

Wedi'i wneud *7 Tachwedd 2000*

Mae Cynulliad Cenedlaethol Cymru yn gwneud y Gorchymyn canlynol drwy arfer y pwerau a roddwyd iddo gan adran 63(1), 66(2) a 67(1) a (2) o Ddeddf Iechyd 1999(**a**):

Enwi, dehongli a chymhwyso

1.-(1) Enw'r Gorchymyn hwn yw Gorchymyn Deddf Iechyd 1999 (Cychwyn Rhif 3) (Cymru) 2000.

(2) Yn y Gorchymyn hwn -

ystyr "Deddf 1977" ("*the 1977 Act*") yw Deddf y Gwasanaeth Iechyd Gwladol 1977(**b**);

ystyr "y Ddeddf" ("*the Act*") yw Deddf Iechyd 1999.

(3) Mae'r Gorchymyn hwn yn gymwys i Gymru.

Diwrnod penodedig

2.-(1) 1 Rhagfyr 2000 yw'r diwrnod penodedig y daw pob un o ddarpariaethau'r Ddeddf a bennir yn Atodlen 1 i'r Gorchymyn hwn i rym i'r graddau a bennir yno.

(2) 1 Ionawr 2001 yw'r diwrnod penodedig y daw pob un o ddarpariaethau'r Ddeddf a bennir yn Atodlen 2 i'r Gorchymyn hwn i rym i'r graddau a bennir yno.

(a) 1999 p.8. Mae pŵer yr Ysgrifennydd Gwladol yn adran 67(1) i wneud gorchmynion cychwyn ar gyfer adrannau penodol o'r Ddeddf, (gan gynnwys y rheini sy'n ymddangos yn yr atodlenni i'r gorchymyn hwn), yn arferadwy, mewn perthynas â Chymru, yn unol ag adran 66(2), gan Gynulliad Cenedlaethol Cymru.

(b) 1977 p. 49.

2000 No. 2991 (W. 191)(C. 92)

NATIONAL HEALTH SERVICE, WALES

The Health Act 1999 (Commencement No.3) (Wales) Order 2000

Made *7th November 2000*

The National Assembly for Wales makes the following Order in exercise of the powers conferred on it by sections 63(1), 66(2) and 67(1) and (2) of the Health Act 1999(**a**):

Citation, interpretation and application

1.-(1) This Order may be cited as the Health Act 1999 (Commencement No. 3) (Wales) Order 2000.

(2) In this Order -

"the Act" ("*y Ddeddf*") means the Health Act 1999;

"the 1977 Act" ("*Deddf 1977*") means the National Health Service Act 1977(**b**).

(3) This Order applies to Wales.

Appointed day

2.-(1) 1st December 2000 is the day appointed for the coming into force, to the extent there specified, of each provision of the Act specified in Schedule 1 to this Order.

(2) 1st January 2001 is the day appointed for the coming into force, to the extent there specified, of each provision of the Act specified in Schedule 2 to this Order.

(a) 1999 c.8. The power of the Secretary of State in section 67(1) to make commencement orders for certain sections of the Act, (including those appearing in the schedules to this order), is exercisable, in relation to Wales, pursuant to section 66(2), by the National Assembly for Wales.

(b) 1977 c. 49.

Llofnodwyd ar ran Cynulliad Cenedlaethol Cymru o dan adran 66(1) o Ddeddf Llywodraeth Cymru 1998(**a**).

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(**a**).

7 Tachwedd 2000

7th November 2000

D Elis Thomas

Llywydd y Cynulliad Cenedlaethol

The Presiding Officer of the National Assembly

(a) 1998 p.38.

(a) 1998 c.38.

ATODLEN 1

Erthygl 2(1)

Darpariaethau'r Ddeddf sy'n dod i rym ar 1 Rhagfyr 2000.

Adran 26 (Cydweithredu rhwng cyrff y Gwasanaeth Iechyd Gwladol) (ac eithrio i'r graddau y mae'n ymwneud ag Ymddiriedolaethau Gofal Sylfaenol)

Adran 27 (Cydweithredu rhwng cyrff y Gwasanaeth Iechyd Gwladol ac awdurdodau lleol) (ac eithrio i'r graddau y mae is-adran (1A) o adran 22 Deddf 1977 yn ymwneud ag Ymddiriedolaethau Gofal Sylfaenol)

Adran 29(2)(a) a (3) ac adran 29(1) i'r graddau y mae'n ymwneud â hi (Taliadau gan gyrff y Gwasanaeth Iechyd Gwladol i awdurdodau lleol) (ac eithrio i'r graddau y mae is-adran (2B) o adran 28A o Ddeddf 1977 yn ymwneud ag Ymddiriedolaethau Gofal Sylfaenol)

Adran 30 (Taliadau gan awdurdodau lleol i gyrff y Gwasanaeth Iechyd Gwladol) (ac eithrio i'r graddau y mae is-adran (2) o adran 28BB o Ddeddf 1977 yn ymwneud ag Ymddiriedolaethau Gofal Sylfaenol)

Adran 31 (Trefniadau rhwng cyrff y Gwasanaeth Iechyd Gwladol ac awdurdodau lleol) (ac eithrio i'r graddau y mae'n ymwneud ag Ymddiriedolaethau Gofal Sylfaenol)

Adran 65(1) (Diwygiadau i ddeddfiadau) (i'r graddau y mae'n ymwneud â darpariaethau Atodlen 4 i'r Ddeddf a bennir isod)

Atodlen 4 -

Is-baragraffau (2) a (4)(b) o baragraff 14, a pharagraffau 4 a 14(1) (i'r graddau y maent yn ymwneud â hwy)

Is-baragraffau (3) a (4)(a) ac (e) o baragraff 14 (i'r graddau y maent yn ymwneud â thaliadau sy'n cael eu gwneud o dan adran 28A(2A) o Ddeddf 1977), a pharagraffau 4 a 14(1) (i'r graddau y maent yn ymwneud â hwy)

SCHEDULE 1

Article 2(1)

Provisions of the Act coming into force on 1 December 2000.

Section 26 (Co-operation between National Health Service bodies)(except in so far as it relates to Primary Care Trusts)

Section 27 (Co-operation between National Health Service bodies and local authorities)(except in so far as subsection (1A) of section 22 of the 1977 Act relates to Primary Care Trusts)

Section 29(2)(a) and (3) and section 29(1) in so far as it relates to it (Payments by National Health Service bodies to local authorities) (except in so far as subsection (2B) of section 28A of the 1977 Act relates to Primary Care Trusts)

Section 30 (Payments by local authorities to National Health Service bodies)(except in so far as subsection (2) of section 28BB of the 1977 Act relates to Primary Care Trusts)

Section 31 (Arrangements between National Health Service bodies and local authorities)(except in so far as it relates to Primary Care Trusts)

Section 65(1) (Amendments of enactments) (in so far as it relates to the provisions of Schedule 4 to the Act specified below)

Schedule 4 -

Sub-paragraphs (2) and (4)(b) of paragraph 14, and paragraphs 4 and 14(1) (in so far as they relate to them)

Sub-paragraphs (3) and (4)(a) and (e) of paragraph 14 (in so far as they relate to payments made under section 28A(2A) of the 1977 Act), and paragraphs 4 and 14(1) (in so far as they relate to them)

ATODLEN 2

Erthygl 2(2)

Adran 32 (Cyd-bwyllgorau Ymgynghorol)

Adran 65(1) (Diwygio deddfiadau)(i'r graddau y maent yn ymwneud â darpariaethau Atodlen 4 i'r Ddeddf a bennir isod)

Atodlen 4 -

Paragraff 14 (i'r graddau nad yw eisoes mewn grym), a pharagraff 4 (i'r graddau y mae'n ymwneud â'r paragraff hwnnw)

Paragraff 72

SCHEDULE 2

Article 2(2)

Section 32 (Joint Consultative Committees)

Section 65(1) (Amendments of enactments)(in so far as it relates to the provisions of Schedule 4 to the Act specified below)

Schedule 4 -

Paragraph 14 (in so far as it is not already in force), and paragraph 4 (in so far as it relates to that paragraph)

Paragraph 72

OFFERYNNAU STATUDOL

2000 Rhif 2991 (Cy. 191)(C. 92)

Y GWASANAETH IECHYD GWLADOL, CYMRU

Gorchymyn Deddf Iechyd 1999 (Cychwyn Rhif 3) (Cymru) 2000

STATUTORY INSTRUMENTS

2000 No. 2991 (W. 191)(C. 92)

NATIONAL HEALTH SERVICE, WALES

The Health Act 1999 (Commencement No.3) (Wales) Order 2000

©ⓗ Hawlfraint y Goron 2000

Argraffwyd a chyhoeddwyd yn y Deyrnas Unedig gan The Stationery Office Limited o dan awdurdod ac arolygiaeth Carol Tullo, Rheolwr Gwasg Ei Mawrhydi ac Argraffydd Deddfau Seneddol y Frenhines.

© Crown copyright 2000

Printed and Published in the UK by the Stationery Office Limited under the authority and superintendence of Carol Tullo, Controller of Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament.

ISBN 0-11-090143-6

9 780110 901435

£2.50

W/161/01/01 ON